

## **EXHIBIT 2**

**From:** [Matthew Faranda-Diedrich](#)  
**To:** [Dana Brescia](#); [Marc Skapof](#); [Frank H. Toub](#)  
**Cc:** [Dawn Kirby](#); [Eric Winston](#); [Derek Shaffer](#)  
**Subject:** Re: Dial in Information for call on 7/30 at 10:30 a.m.  
**Date:** Thursday, August 7, 2025 4:50:21 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

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Dana these changes completely rewrite the agreement we reached on Monday. None of the proposed amendments have anything to do with access to PII, which you represented just yesterday was your client's alleged sole reason for wanting to make changes to our agreement. Moreover most of the changes are simply unworkable and unreasonable.

In sum, your client's proposed amendment to our agreement is rejected. We will be proceeding with filing our Rule 2004 motion tomorrow as it seems that your client has no intention of abiding by his prior agreement and, instead, is content to waste both our time and the court's resources. On the off chance that changes between now and tomorrow am, let me know.

**Matthew Faranda-Diedrich** | Partner

✉ [mfd@rccblaw.com](mailto:mfd@rccblaw.com)

☎ O: 267-546-0275 | M: 215-514-7207



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**From:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>

**Sent:** Thursday, August 7, 2025 4:07 PM

**To:** Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>; Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>

**Cc:** Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>; Eric Winston <[ericwinston@quinnemanuel.com](mailto:ericwinston@quinnemanuel.com)>; Derek Shaffer <[derekshaffer@quinnemanuel.com](mailto:derekshaffer@quinnemanuel.com)>

**Subject:** RE: Dial in Information for call on 7/30 at 10:30 a.m.

Matthew,

Please see the additional redlined changes proposed by Firstbase to the Stipulation and Confidentiality Agreement.

Very truly yours,

Dana P. Brescia, Esq.



700 POST ROAD, SUITE 237  
SCARSDALE, NEW YORK 10583  
(914) 401-9500 MAIN

---

**From:** Matthew Faranda-Diedrich <mfd@rccblaw.com>

**Sent:** Wednesday, August 6, 2025 6:19 PM

**To:** Dana Brescia <dbrescia@kacllp.com>; Marc Skapof <MSkapof@rccblaw.com>; Frank H. Toub <FToub@rccblaw.com>

**Cc:** Dawn Kirby <dkirby@kacllp.com>; Eric Winston <ericwinston@quinnemanuel.com>; Derek Shaffer <derekshaffer@quinnemanuel.com>

**Subject:** Re: Dial in Information for call on 7/30 at 10:30 a.m.

Dana, we already have an enforceable agreement on the confidentiality agreement and the stip per your email confirming same on Monday August 4th. Now, two days later your client wants to renegotiate that agreement. We will wait to see how extensive these redlines are, but if we do not have something consensually on file by tomorrow by 4 pm we will be filing a 2004 motion on Friday morning and advising the court of all these facts. Again, we hope that is not necessary but at this point that's up to your client.

**Matthew Faranda-Diedrich** | Partner

 [mfd@rccblaw.com](mailto:mfd@rccblaw.com)

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**Matthew Faranda-Diedrich** | Partner

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**From:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>  
**Sent:** Wednesday, August 6, 2025 5:56:16 PM  
**To:** Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>; Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>  
**Cc:** Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>; Eric Winston <[ericwinston@quinnemanuel.com](mailto:ericwinston@quinnemanuel.com)>; Derek Shaffer <[derekshaffer@quinnemanuel.com](mailto:derekshaffer@quinnemanuel.com)>  
**Subject:** RE: Dial in Information for call on 7/30 at 10:30 a.m.

Matthew,

My client has just advised me that he has some concerns regarding the Confidentiality Agreement as it is currently written. He is particularly uncomfortable with the number of individuals who will have access to certain PII information and does not feel the protections contained therein are strong enough. Based thereon, we will be proposing additional redlines. We can also make ourselves available if you wish to discuss. Let me know your thoughts.

Very truly yours,  
Dana P. Brescia, Esq.



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---

**From:** Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>  
**Sent:** Wednesday, August 6, 2025 2:58 PM  
**To:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>; Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>

**Cc:** Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>; Eric Winston <[ericwinston@quinnemanuel.com](mailto:ericwinston@quinnemanuel.com)>; Derek Shaffer <[derekshaffer@quinnemanuel.com](mailto:derekshaffer@quinnemanuel.com)>

**Subject:** Re: Dial in Information for call on 7/30 at 10:30 a.m.

Any update here?

**Matthew Faranda-Diedrich** | Partner

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**From:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>

**Sent:** Tuesday, August 5, 2025 4:20:55 PM

**To:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>; Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>

**Cc:** Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>; Eric Winston <[ericwinston@quinnemanuel.com](mailto:ericwinston@quinnemanuel.com)>; Derek Shaffer <[derekshaffer@quinnemanuel.com](mailto:derekshaffer@quinnemanuel.com)>

**Subject:** RE: Dial in Information for call on 7/30 at 10:30 a.m.

I am awaiting a return signature and will submit it to the Court once I receive it.  
I have followed up.

Dana P. Brescia, Esq.



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---

**From:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>

**Sent:** Tuesday, August 5, 2025 4:04 PM

**To:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>; Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>

**Cc:** Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>; Eric Winston <[ericwinston@quinnemanuel.com](mailto:ericwinston@quinnemanuel.com)>; Derek Shaffer <[derekshaffer@quinnemanuel.com](mailto:derekshaffer@quinnemanuel.com)>

**Subject:** RE: Dial in Information for call on 7/30 at 10:30 a.m.

Dana, can you confirm that the stip and agreement will be filed today? Thanks.

**Marc Skapof** | Partner

☐ [MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)

☐ **O:** [212-994-0452](tel:212-994-0452) | **M:** [773-240-1568](tel:773-240-1568)



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**From:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>

**Sent:** Tuesday, August 5, 2025 10:01 AM

**To:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>; Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>

**Cc:** Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>; Eric Winston <[ericwinston@quinnemanuel.com](mailto:ericwinston@quinnemanuel.com)>; Derek Shaffer <[derekshaffer@quinnemanuel.com](mailto:derekshaffer@quinnemanuel.com)>

**Subject:** RE: Dial in Information for call on 7/30 at 10:30 a.m.

Marc,

The Stipulation provides for your firm's signature, while the Confidentiality Agreement provides for a signatory from Harbor Compliance.

Are you authorizing us to append e-signatures for both, and if so, please provide the name of the signatory and email address which is missing from the document.

As for the foreign addresses, the Debtor needs a few days to compile. We will have them to you by end of business Friday.

Very truly yours,

Dana P. Brescia, Esq.



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(914) 401-9500 MAIN

---

**From:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>

**Sent:** Tuesday, August 5, 2025 9:45 AM

**To:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>; Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>

**Cc:** Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>; Eric Winston <[ericwinston@quinnemanuel.com](mailto:ericwinston@quinnemanuel.com)>; Derek Shaffer <[derekshaffer@quinnemanuel.com](mailto:derekshaffer@quinnemanuel.com)>

**Subject:** RE: Dial in Information for call on 7/30 at 10:30 a.m.

Dana, thanks for sending this along. On behalf of Harbor Compliance, we are good with your comments and you are authorized to append our e-signature and submit for court approval. We still have an open item on the email addresses for foreign creditors/interest holders. Please confirm that you will provide those no later than COB on Wed. 8/6. Thanks.  
Best regards, Marc

**Marc Skapof** | Partner

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**From:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>

**Sent:** Monday, August 4, 2025 5:29 PM

**To:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>; Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>

**Cc:** Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>; Eric Winston <[ericwinston@quinnemanuel.com](mailto:ericwinston@quinnemanuel.com)>; Derek Shaffer <[derekshaffer@quinnemanuel.com](mailto:derekshaffer@quinnemanuel.com)>

**Subject:** RE: Dial in Information for call on 7/30 at 10:30 a.m.

Marc and Matthew.

Please see our additional redlines.

If acceptable, we will finalize the documents and get them signed.

Thanks.

Dana P. Brescia, Esq.



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---

**From:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>  
**Sent:** Monday, August 4, 2025 5:05 PM  
**To:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>; Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>  
**Cc:** Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>  
**Subject:** RE: Dial in Information for call on 7/30 at 10:30 a.m.

Dana, we know you are just the messenger here but we really need to finalize this agreement and get it on file tomorrow. Please advise your clients that if we do not have an agreement on the stipulation for submission to the court by COB tomorrow, we will be filing another Rule 2004 application and order instead. Thanks. Marc

**Marc Skapof** | Partner

☐ [MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)

☐ **O:** [212-994-0452](tel:212-994-0452) | **M:** [773-240-1568](tel:773-240-1568)



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---

**From:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>  
**Sent:** Monday, August 4, 2025 11:33 AM  
**To:** Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>  
**Cc:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>; Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>  
**Subject:** RE: Dial in Information for call on 7/30 at 10:30 a.m.

I will advise and follow up regarding the Stip.

Thank you,



Dana P. Brescia, Esq.



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(914) 401-9500 MAIN

---

**From:** Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>

**Sent:** Monday, August 4, 2025 8:31 AM

**To:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>

**Cc:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>; Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>

**Subject:** Re: Dial in Information for call on 7/30 at 10:30 a.m.

Dana, hope you had a nice weekend. The Xero General Ledger (.txt) should work. Please confirm whether your clients will voluntarily export. Thank you.

**Matthew Faranda-Diedrich** | Partner

☐ [mfd@rccblaw.com](mailto:mfd@rccblaw.com)

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**Matthew Faranda-Diedrich** | Partner

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---

**From:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>

**Sent:** Friday, August 1, 2025 4:58 PM

**To:** Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>

**Cc:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>; Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>

**Subject:** RE: Dial in Information for call on 7/30 at 10:30 a.m.

I will let them know your position.

Have a nice weekend.

Dana P. Brescia, Esq.



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(914) 401-9500 MAIN

---

**From:** Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>

**Sent:** Friday, August 1, 2025 4:53 PM

**To:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>

**Cc:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>; Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>

**Subject:** RE: Dial in Information for call on 7/30 at 10:30 a.m.

You're right, I was just hoping to have it resolved this week because it has been dragging on a bit in our opinion. Please do what you can to help move this along, and I suppose if we don't have a resolution by Monday we may need to submit something to the Court.

**Matthew Faranda-Diedrich** | Partner

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---

**From:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>

**Sent:** Friday, August 1, 2025 4:51 PM

**To:** Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>

**Cc:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>; Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>

**Subject:** RE: Dial in Information for call on 7/30 at 10:30 a.m.

Matthew,

I have been following up. I understand that you are anxious to get moving but we just had our call on Wednesday.

I don't think it's unreasonable for them to take a few days to discuss, consider and respond.

Very truly yours,

Dana P. Brescia, Esq.



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---

**From:** Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>

**Sent:** Friday, August 1, 2025 4:38 PM

**To:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>

**Cc:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>; Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>

**Subject:** RE: Dial in Information for call on 7/30 at 10:30 a.m.

Dana - I am waiting on the financial advisor to confirm, but it sounds like they will actually be sending a link that is compatible with Xero. So that should not be an issue, and not one that holds up whether we are agreeing on a consensual production or whether we need to the Court. I hope the latter is not necessary, but we really do need to know today whether your client is requiring us to go that route. Thank you.

**Matthew Faranda-Diedrich** | Partner

☐ [mfd@rccblaw.com](mailto:mfd@rccblaw.com)

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**From:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>

**Sent:** Friday, August 1, 2025 3:53 PM

**To:** Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>

**Cc:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>; Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>

**Subject:** RE: Dial in Information for call on 7/30 at 10:30 a.m.

I am still waiting on a response – have you determined the format?

Dana P. Brescia, Esq.



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(914) 401-9500 MAIN

---

**From:** Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>

**Sent:** Friday, August 1, 2025 3:42 PM

**To:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>

**Cc:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>; Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>

**Subject:** RE: Dial in Information for call on 7/30 at 10:30 a.m.

Dana, checking in on status. Can you please confirm whether we are good, or not. Thank you.

**Matthew Faranda-Diedrich** | Partner

☐ [mfd@rccblaw.com](mailto:mfd@rccblaw.com)

☐ **O:** [267-546-0275](tel:267-546-0275) | **M:** [215-514-7207](tel:215-514-7207)



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**From:** Matthew Faranda-Diedrich

**Sent:** Friday, August 1, 2025 10:38 AM

**To:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>

**Cc:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>; Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>

**Subject:** RE: Dial in Information for call on 7/30 at 10:30 a.m.

Thanks for the update, Dana. I should have an answer for you on format shortly.

**Matthew Faranda-Diedrich** | Partner

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**From:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>

**Sent:** Friday, August 1, 2025 10:34 AM

**To:** Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>

**Cc:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>; Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>

**Subject:** RE: Dial in Information for call on 7/30 at 10:30 a.m.

Matthew,

I have followed up and am awaiting a response.

Have you decided which format you are looking for – so that we can clarify in the Stip?

Dana P. Brescia, Esq.



700 POST ROAD, SUITE 237  
SCARSDALE, NEW YORK 10583  
(914) 401-9500 MAIN

---

**From:** Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>

**Sent:** Friday, August 1, 2025 9:31 AM

**To:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>

**Cc:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>; Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>  
**Subject:** Re: Dial in Information for call on 7/30 at 10:30 a.m.

Dana, just checking in. Thank you.

**Matthew Faranda-Diedrich** | Partner

 [mfd@rccblaw.com](mailto:mfd@rccblaw.com)

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---

**From:** Matthew Faranda-Diedrich

**Sent:** Thursday, July 31, 2025 3:22:51 PM

**To:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>

**Cc:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>; Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>

**Subject:** RE: Dial in Information for call on 7/30 at 10:30 a.m.

Dana, this is received thank you. Please let us know if we have agreement tomorrow so that we can avoid having to further burden the Court. Thank you.

**Matthew Faranda-Diedrich** | Partner

 [mfd@rccblaw.com](mailto:mfd@rccblaw.com)

 **O:** [267-546-0275](tel:267-546-0275) | **M:** [215-514-7207](tel:215-514-7207)



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---

**From:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>

**Sent:** Thursday, July 31, 2025 3:03 PM

**To:** Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>

**Cc:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>; Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>

**Subject:** RE: Dial in Information for call on 7/30 at 10:30 a.m.

Matthew,

I have not heard back from my client yet re the agreement and I am leaving for the day, so I will have to follow up tomorrow.

I did receive the attached list of options XERO provides for exporting, as requested.

Debtor advises that they never used this functionality.

Very truly yours,  
Dana P. Brescia, Esq.



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SCARSDALE, NEW YORK 10583  
(914) 401-9500 MAIN

---

**From:** Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>

**Sent:** Thursday, July 31, 2025 2:48 PM

**To:** Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>; Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>; Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>

**Cc:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>

**Subject:** RE: Dial in Information for call on 7/30 at 10:30 a.m.

Dana, following up here. Will we be able to report agreement to the Judge today?

**Matthew Faranda-Diedrich** | Partner

☐ [mfd@rccblaw.com](mailto:mfd@rccblaw.com)

☐ **O:** [267-546-0275](tel:267-546-0275) | **M:** [215-514-7207](tel:215-514-7207)



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---

**From:** Matthew Faranda-Diedrich

**Sent:** Wednesday, July 30, 2025 11:44 AM

**To:** Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>; Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>; Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>  
**Cc:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>  
**Subject:** RE: Dial in Information for call on 7/30 at 10:30 a.m.

Dana, following up on our recent call, attached is an updated version of the confi agreement, with your suggested changes in track changes. Also, on a second look, the limitation language already appears in the document. Please see this language explaining the limited “Purpose” (“to formulate its proposed plan of reorganization of Firstbase in the Chapter 11 Case and to perform its obligations and exercise its rights as a creditor in the Chapter 11 Case”).

Kindly let us know if this version is acceptable along with the joint stipulation we sent yesterday and attached again here. Also please let us know what the native export files would be from Xero once Filipe informs you of same.

Thank you and as mentioned we’d like to get something in front of the Judge by tomorrow.

**Matthew Faranda-Diedrich** | Partner

 [mfd@rccblaw.com](mailto:mfd@rccblaw.com)

 **O:** [267-546-0275](tel:267-546-0275) | **M:** [215-514-7207](tel:215-514-7207)



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**From:** Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>  
**Sent:** Tuesday, July 29, 2025 4:31 PM  
**To:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>; Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>  
**Cc:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>; Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>  
**Subject:** RE: Dial in Information for call on 7/30 at 10:30 a.m.

Hi Dawn and Dana,

In preparation for tomorrow’s call, we’ve prepared the attached draft confidentiality agreement and draft joint stipulation as Harbor Compliance’s proposal for how to best handle the sharing of the requested information. Please provide any comments as soon as possible in advance of the discussion tomorrow.

Best,  
Frank



**Frank H. Toub** | Attorney

✉ [FToub@rccblaw.com](mailto:FToub@rccblaw.com)

☎ O: [267-546-0205](tel:267-546-0205) | M: [610-506-4966](tel:610-506-4966)



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**From:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>

**Sent:** Tuesday, July 29, 2025 9:50 AM

**To:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>; Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>; Filipe Senna <[filipe@firstbase.io](mailto:filipe@firstbase.io)>

**Cc:** Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>

**Subject:** Dial in Information for call on 7/30 at 10:30 a.m.

Dial-in number (US): (605) 313-4427

Access code (participants): 658167#

Very truly yours,

Dana P. Brescia, Esq.



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SCARSDALE, NEW YORK 10583  
(914) 401-9500 MAIN

---

**From:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>

**Sent:** Monday, July 28, 2025 4:31 PM

**To:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>; Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>

**Cc:** Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>

**Subject:** Re: In re [Firstbase.io](https://www.firstbase.io), Inc.--Request for financial information

Let's do 10:30 on Wed. Could you please send an invite and dial-in. In the meantime, we will circulate a proposal in advance. Thanks

**Marc Skapof** | Partner

✉ [MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)

☎ [212-994-0452](tel:212-994-0452) | 📠 [773-240-1568](tel:773-240-1568)



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**From:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>

**Sent:** Monday, July 28, 2025 3:44:36 PM

**To:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>; Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>

**Cc:** Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>

**Subject:** RE: In re [Firstbase.io](https://firstbase.io), Inc.--Request for financial information

No, the earliest we can do is Wednesday morning 10 – 11 or after 4.

Dana P. Brescia, Esq.



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(914) 401-9500 MAIN

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**From:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>

**Sent:** Monday, July 28, 2025 2:47 PM

**To:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>; Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>

**Cc:** Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>

**Subject:** RE: In re [Firstbase.io](https://firstbase.io), Inc.--Request for financial information

Dana, are you and Filipe available later today?

If not, what is your availability tomorrow. Thx

Marc

**Marc Skapof** | Partner

☐ [MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)

☐ **O:** [212-994-0452](tel:212-994-0452) | **M:** [773-240-1568](tel:773-240-1568)



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**From:** Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>

**Sent:** Monday, July 28, 2025 2:36 PM

**To:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>; Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>

**Cc:** Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>

**Subject:** RE: In re [Firstbase.io](#), Inc.--Request for financial information

Marc,

Can you provide your availability for a call with Filipe and I to discuss a protocol that would be satisfactory to both parties?

Dana P. Brescia, Esq.



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SCARSDALE, NEW YORK 10583  
(914) 401-9500 MAIN

---

**From:** Marc Skapof <[MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)>

**Sent:** Friday, July 25, 2025 4:47 PM

**To:** Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>; Dana Brescia <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>

**Cc:** Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>

**Subject:** FW: In re [Firstbase.io](#), Inc.--Request for financial information

Dawn/Dana, following up on the below. Please let us know no later than Monday 8/28 if the Debtor will voluntarily comply with the below. If we do not hear back, we will have to file another Rule 2004 application. Thanks

**Marc**

**Marc Skapof** | Partner

✉ [MSkapof@rccblaw.com](mailto:MSkapof@rccblaw.com)

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**From:** Marc Skapof

**Sent:** Thursday, July 24, 2025 5:28 PM

**To:** Dawn Kirby <[dkirby@kacllp.com](mailto:dkirby@kacllp.com)>; 'dbrescia@kacllp.com' <[dbrescia@kacllp.com](mailto:dbrescia@kacllp.com)>; Derek Shaffer <[derekshaffer@quinnemanuel.com](mailto:derekshaffer@quinnemanuel.com)>

**Cc:** Matthew Faranda-Diedrich <[mfd@rccblaw.com](mailto:mfd@rccblaw.com)>; Frank H. Toub <[FToub@rccblaw.com](mailto:FToub@rccblaw.com)>

**Subject:** In re [Firstbase.io](https://www.firstbase.io), Inc.--Request for financial information

Counselors, as a follow-up to today's status conference, we are emailing to request that the Debtor and its bookkeeper, Liberating Wealth, please produce the historical financial information categorized below for the period starting as early possible for such records but at a minimum commencing on Jan. 1, 2002 through the present. The requested information is necessary for HBC and its legal and financial advisors to formulate its plan of reorganization for the debtor. The requested information falls squarely within the ambit of FRBP 2004(b)(2)(C), as information "relevant to formulating a plan." Accordingly, we would kindly request that the Debtor and Liberating Wealth produce the requested information without the need for us to go through the formal process of obtaining a Rule 2004 order to save the time and expense associated with that route. As we also noted at today's status conference, we are aware that the requested information may contain commercially sensitive data and we are amenable to entry into a protocol satisfactory to all the parties that balances Firstbase's legitimate privacy concerns against the need for HBC and its advisors to have access in connection with formulating its plan. To that end, we are available to meet and confer at a mutually convenience time to discuss. Finally, we would ask that the requested information be produced on a rolling basis with a final production date of August 1, 2025. We look forward to your cooperation.

The requested information includes the following:

1. A complete download of the Debtor's financial records as stored in their bookkeeping system (believed to be Xero). This download should include, but is not limited to, P&L statements, balance sheets, general ledger, trial balance, bank reconciliation reports and any relevant attachments or source documents as well as any subledgers tracked in Excel or comparable program. Please

provide the download in a CSV or Excel export format directly from Xero.

Regards,

Marc **Skapof** | Partner

✉ [MSkapof@rccbblaw.com](mailto:MSkapof@rccbblaw.com)

☎ **O:** [212-994-0452](tel:212-994-0452) | **M:** [773-240-1568](tel:773-240-1568)



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